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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/770,098	02/02/2004	Daniel J. Miller	MS1-0631USC2	9124
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LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201				
EXAMINER				
PATEL, HARESH N				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/770,098

Applicant(s)

MILLER ET AL.

Examiner

HARESH N. PATEL

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date See Continuation Sheet
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Inventor's Patent Application
- 6) ☐ Other: _____

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :2/2/04, 4/13/04, 5/10/04, 7/15/04, 12/20/04, 5/2/05, 12/7/05(1), 12/7/05(2), 3/9/06, 8/31/06, 11/15/06, 4/13/07, 11/29/07, 6/2/08 .

DETAILED ACTION

1. Claims 1-20 are subject to examination. Claims 15, 17-20 are allowable over art rejections but objected to and subjected to 35. U.S.C. 101 rejection.

Priority

2. Applicant's claim for domestic priority under 35 U.S.C. 119(e), patent number 6,983,466, is acknowledged.

Terminal Disclaimer

3. The terminal disclaimer filed on 3/17/08 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 6,983,466 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Specification

4. The status of the copending applications at pages 1, 8-10 needs to be updated. Figure 37 description is missing at page 7.

Drawings

5. The figures submitted on the filing date of this application are acknowledged.

Information Disclosure Statement

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6. An initialed and dated copy of the applicant's IDS form 1449, is attached to the instant Office action, please see attachments section of the attached form PTO-326 containing paper dates.

Claim Objections

7. Claims 2-10 is objected to because of the following informalities:

Claims 1-20 mentions, "A media processing system according", which should be

--The media processing system according --

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to a non-statutory subject matter. The claims 1-20 claim system that do not contain hardware component such as processor and computer storage medium such as memory or other hardware for storing claimed software components.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an

application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-14 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Parry et al. 5,913,038 (Hereinafter Griffiths).

11. Referring to claim 1, Griffiths discloses a media processing system comprising: a source and a software object (e.g., col., 2), coupling the source to one or more of a plurality of processing chains (e.g., col., 3), to satisfy multiple, non-combinable requests to the source for media content (e.g., col., 3).

12. Referring to claim 2, Griffiths discloses the claimed limitations as rejected above. Griffiths also discloses wherein the software object is a segment filter (e.g., col., 4).

13. Referring to claim 3, Griffiths discloses the claimed limitations as rejected above. Griffiths also discloses wherein the software object is exposed from an operating system executing on a computing system implementing the media processing system (e.g., col., 3).

14. Referring to claim 4, Griffiths discloses the claimed limitations as rejected above. Griffiths also discloses wherein non-combinable requests for media include one or more of requests where a source time of the requested content do not align, requests where project time of the requests do not align (e.g., col., 4), and/or requests where the requested content is to be processed differently, thus requiring a separate processing chain (e.g., col., 4).

15. Referring to claim 5, Griffiths discloses the claimed limitations as rejected above. Griffiths also discloses wherein the software object is implemented within a filter graph representation of a user-defined media processing project, to reduce invoked instances of the media source required to satisfy said non-combinable requests (e.g., col., 4).
16. Referring to claim 6, Griffiths discloses the claimed limitations as rejected above. Griffiths also discloses wherein the software object receives independent requests for content from one or more media processing chains (e.g., col., 4).
17. Referring to claim 7, Griffiths discloses the claimed limitations as rejected above. Griffiths also discloses wherein the software object generates and issues seek command(s) to satisfy said requests (e.g., col., 5).
18. Referring to claim 8, Griffiths discloses the claimed limitations as rejected above. Griffiths also discloses wherein the media processing system selectively invokes multiple instances of the software object to satisfy multiple simultaneous requests for content (e.g., col., 5), wherein each instance of the software object requires an associated instance of the media source and a processing chain (e.g., col., 5).
19. Referring to claim 9, Griffiths discloses the claimed limitations as rejected above. Griffiths also discloses wherein the software object serializes multiple simultaneous requests for media content received from multiple processing chains (e.g., col., 5).

20. Referring to claim 10, Griffiths discloses the claimed limitations as rejected above.

Griffiths also discloses wherein the software object is a segment filter in a filter graph of filters dynamically generated to process media in accordance with a user-defined processing project (e.g., col., 5).

21. Referring to claim 11, Griffiths discloses the claimed limitations as rejected above.

Griffiths also discloses a media processing system (e.g., col., 2) comprising: a source; a software object, coupling the source to one or more of a plurality of processing chains, to satisfy multiple, non-combinable requests to the source for media content (e.g., col., 2); and a scalable, dynamically reconfigurable matrix switch having a plurality of inputs and a plurality of outputs (e.g., col., 3); at least one matrix switch input being communicatively linked with a first processing chain portion (e.g., col., 3); at least one other matrix switch input being communicatively linked with a second processing chain portion (e.g., col., 3); the matrix switch being configured to dynamically couple one or more of the matrix switch inputs to one or more of the matrix switch outputs (e.g., col., 3).

22. Referring to claim 12, Griffiths discloses the claimed limitations as rejected above.

Griffiths also discloses wherein the matrix switch is configured to dynamically couple said one or more matrix switch inputs to said one or more matrix switch outputs based, at least in part, on a media time associated with a user defined media processing project (e.g., col., 4).

23. Referring to claim 13, Griffiths discloses the claimed limitations as rejected above.

Griffiths also discloses wherein the matrix switch is configured to dynamically couple said

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one or more matrix switch inputs to said one or more matrix switch outputs based, at least in part, on a project time associated with a user defined media processing project (e.g., col., 4).

24. Referring to claim 14, Griffiths discloses the claimed limitations as rejected above. Griffiths also discloses wherein the matrix switch is configured to dynamically couple said one or more matrix switch inputs to said one or more matrix switch outputs based, at least in part, on content of a matrix switch programming grid (e.g., col., 4).

25. Referring to claim 16, Griffiths discloses the claimed limitations as rejected above. Griffiths also discloses a media processing system(e.g., col., 2) comprising: a source; and a software object, coupling the source to one or more of a plurality of processing chains, to satisfy multiple, non-combinable requests to the source for media content (e.g., col., 2), wherein non-combinable requests for media include one or more of requests where a source time of the requested content do not align, requests where project time of the requests do not align (e.g., col., 3), and/or requests where the requested content is to be processed differently, thus requiring a separate processing chain (e.g., col., 3); wherein the software object is a segment filter in a filter graph of filters dynamically generated to process media in accordance with a user-defined processing project (e.g., col., 3).

Conclusion

Examiner has cited particular columns and line numbers and/or paragraphs and/or sections and/or page numbers in the reference(s) as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the

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teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety, as potentially teaching, all or part of the claimed invention, as well as the context of the passage, as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Haresh N. Patel/

Primary Examiner, Art Unit 2154

8/29/2008

